

Commission on Capital Punishment



Maryland Department of
Public Safety and
Correctional Services
October 7, 2008

Division of Correction

- Approximately 23,000 offenders incarcerated in 23 facilities
- Demographics
 - 95.4 % male (21,942 offenders)
 - 75.8% Black (17,434 offenders)
 - 23.8% white (5,474 offenders)
- Average Age 37 years
- Sentence Length
 - Average sentence length – 169.2 months
 - Average length of stay – 62.2 months
- Type of Incarceration
 - 24% drug offense (5,520 offenders)
 - 19% murder (4,370 offenders)

Life Without Parole

- 327 offenders (or 1.4% of the total population) serving sentence of “Life Without Parole”

- Breakdown of LWPs

- Maryland Correctional Training Center – 1 (<1%)
- Patuxent Institution – 3 (1%)
- Maryland Correctional Adjustment Center – 7 (2%)
- Maryland Correctional Institution for Women – 8 (2%)
- Western Correctional Institution – 25 (8%)
- North Branch Correctional Institution – 74 (23%)
- Jessup Correctional Institution – 206 (63%)



Life Without Parole

- Demographics
 - 69% Black (227 offenders)
 - 28% White (92 offenders)
 - <1% Asian (1 offenders)
 - 2% unknown (7 offenders)
- The majority, 319 (or 98%) are males.
- Average age 39.8 years (Range from 19 to 68 years old)
 - Average age at commitment 28.4 years old
- Average years served – 11 years
- Jurisdiction of birth – MD (195); DC (51); NY (9); VA (7)
- Major offenses
 - 81% have conviction of 1st Degree Murder – (298 offenders)
 - 2.4% have conviction of Felony Homicide – (8 offenders)
 - 1.6% have conviction of 1st Degree Rape – (5 offenders)

Death Sentence

- There are 5 offenders on “death row”
- Housed at the Maryland Correctional Adjustment Center – “Super Max”
- Demographics
 - All Male (100%)
 - Race – 80% Black (4 offenders) and 20% white (1 offender)
- Average age – 50 (range 39 – 58 years)
- Average age at commitment – 30
- Jurisdiction of birth – 2 MD, 1 DC, 1 MO
- All have major offense of 1st degree murder (100%)



Division of Correction – Determining Security Levels

- Offenders are classified to the least restrictive security level consistent with their needs and the safety of the public, staff, and other offenders
- This is done in a two step process



Objective Security Instrument

- Developed by Dr. James Austin – national expert on offender classification
- Uses number of factors including – type of offense, sentence length, history of escape and violence, and age
- The instrument “scores” the offender

Case Management Assessment

- Can either concur with the instrument or use discretion to recommend an “override” to lower or higher security based on:
 - Psychological evaluation
 - Notoriety
 - Institutional adjustment
 - Programming availability
 - Escape threat
 - Gang affiliation

Final Decision

- Once security level is determined other key factors are considered including:
 - Medical needs
 - Special education needs
 - Mental health issues
 - Enemies
 - Programming needs
- The Case Management Supervisor reviews the case manager's recommendation and makes a decision, subject to the Warden's review and approval.
- Wardens have exercised their authority to override the Case Management Supervisor's decisions in less than 2% of the time.

Questions?

FOR MORE INFORMATION

GARY D. MAYNARD
SECRETARY
GMAYNARD@DPSCS.STATE.MD.US

RHEA HARRIS
DIRECTOR OF LEGISLATIVE AFFAIRS
RHARRIS@DPSCS.STATE.MD.US
